

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Charles R. Morrison, *et al.*,**

**Plaintiffs,**

**-V-**

**Case No. 2:06-cv-00644  
JUDGE SMITH  
Magistrate Judge Kemp**

**Michael F. Colley, *et al.*,**

**Defendants.**

**SCHEDULING ORDER**

Plaintiffs initiated this case on July 27, 2006, with a Complaint for Preliminary and Permanent Injunction. Plaintiffs then filed their Motion for Preliminary Injunction on July 31, 2006. On August 1, 2006, the Court held a Rule 16(a) telephone conference to discuss scheduling matters. David Langdon and Joshua Bolinger, counsel for Plaintiffs, and Patrick Piccininni and Nick Soulas, counsel for Defendants were present. The conference was continued until August 2, 2006, to allow counsel to confer with their respective clients.

The parties have agreed to consolidate the motions for preliminary and permanent injunctions and to have one combined trial on the merits. Therefore, Plaintiffs' counsel has withdrawn the Motion for a Preliminary Injunction without prejudice.

Plaintiffs shall file their Motion for Preliminary and Permanent Injunction by August 18, 2006. Defendants shall file their Memorandum in Opposition to Plaintiffs' Motion for Preliminary and Permanent Injunction by August 25, 2006. Plaintiffs shall file any Reply in Support by August 28, 2006. In order to accommodate this briefing schedule, the parties are

permitted to conduct expedited discovery.

Initial stipulations by the parties shall be filed by August 18, 2006. Final stipulations shall be filed by August 23, 2006. Plaintiffs shall disclose any lay and/or expert witnesses by August 18, 2006. Defendants shall disclose any lay and/or expert witnesses by August 25, 2006. All documents shall be submitted in accordance with the Federal Rules of Civil Procedure and the Local Rules for the Southern District of Ohio.

The combined trial is scheduled for August 29, 2006, at 10 a.m. The final pretrial conference is scheduled for August 25, 2006, at 3 p.m, by telephone. The parties are to call the Court at (614) 719-3220. Counsel shall be prepared to report to the Court on whether a full evidentiary hearing is necessary or if the matter can be addressed with oral arguments. If the parties agree to only oral arguments, then they will be held August 30, 2006, at 2:30 p.m.

**IT IS SO ORDERED.**

/s/ George C. Smith  
**GEORGE C. SMITH, JUDGE**  
**UNITED STATES DISTRICT COURT**